REMARKS

The Office Action sets forth a restriction requirement under 35 USC §121. Applicant was requested to elect one of nine designated groups as noted below:

I. Claims 1-3, 19-20, 47-53 and 67-70, drawn to forms of a polypeptide comprising SEQ ID NO:2 or fragments thereof, fusion proteins and complexes comprising said polypeptides, classified in class 530, subclasses 350 and 387.3.

II. Claims 8-15 and 21-42, 54 and 71 drawn to a polynucleotide sequence encoding forms of a polypeptide comprising SEQ ID NO:2 or fragments thereof, fusion proteins and complexes comprising said polypeptides; DNA constructs, vectors, host cells, and methods of producing these polypeptides, classified in class 536, subclass 23.5, and Class 435, subclasses 69.1, 455, 252.3, and 320.1.

III. Claims 16-17 and 55-58, drawn to form of an antibody to a polypeptide comprising SEQ ID NO:2, fragments of SEQ ID NO:2 or complexes comprising said polypeptides and methods of producing these antibodies; classified in class 530, subclass 387.1, and class 435, subclass 41.

IV. Claim 18, drawn to an anti-idiotype antibody, classified in class 350, subclass 387.2.

V. Claims 59-61, drawn to a method of inhibiting IL-TIF induced cellular proliferation or suppressing inflammation using a composition comprising a soluble form of the polypeptide of SEQ ID NO:2, classified in class 424, subclass 184.1.

VI. Claims 62-63, drawn to a method of suppressing inflammation using a composition comprising a soluble form of the polypeptide of SEQ ID NO:2, classified in class 424, subclass 184.1.

VII. Claims 64, drawn to a method of detecting a genetic abnormality or cancer using a polynucleotide derived from SEQ ID NO:1, classified in class 435, subclass 6.

VIII. Claim 65, drawn to a method of detecting a cancer in a tissue sample using a polynucleotide derived from SEQ ID NO:1, classified in class 435, subclass 7.1.

IX. Claim 66, drawn to a method of detecting a cancer using an antibody to SEQ ID NO:2 of a fragment thereof, classified in class 435, subclass 6.

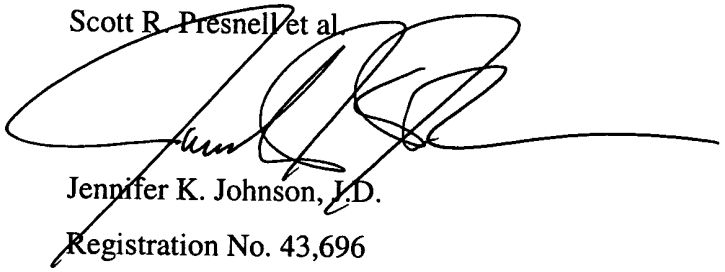
The Office has VACATED the restriction requirement set forth in the Office Action dated March 13, 2002 but has entered Applicant's Preliminary Amendment dated April 15, 2002. In response to the instant Requirement for Restriction Election, Applicant elects Group I Claims 1-3, 19-20, 47-53 and 67-70, drawn to isolated polypeptides without traverse. Claims 8-18, 21-42, and 54-66, and 71 are withdrawn from the case; however, Applicant reserves the right to pursue and prosecute these claims in divisional and continuing applications.

Regarding the election of species, Applicant has been requested to initially select a single disclosed species. In particular, Applicant is requested to specify a specific form of the receptor complex (homodimeric, heterodimeric, or multimeric). In regards to claims 47-53, Applicant elects the species of homodimeric receptor complexes. Not all claims within Group I claims elected (claims 1-3, 19-20, 47-53 and 67-70) involve receptor complexes, however Applicant understands that claims not affected by the election will be examined together with those claims to the specific receptor complex elected. That is, that the species election only pertains to those claims within Group I (claims 1-3, 19-20, 47-53 and 67-70) that involve receptor complexes, i.e., claims 47-53; and that the species election does not apply to claims 1-3, 19-20, and 67-70 which Applicant understands will be examined along with the claims to homodimeric receptor complexes to which species was elected.

Early reconsideration and allowance of the pending claims is respectfully requested. If the Patent Examiner believes that a telephone interview would expedite prosecution of this patent application, please call the undersigned at (206) 442-6676.

Respectfully Submitted,

Scott R. Presnell et al.



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Enclosures:

Response to Restriction Requirement

Appendix (3 pages)

Petition and Fee for 4 Month Extension of Time (in duplicate)

Amendment Fee Transmittal (in duplicate)

Postcard

APPENDIX

Claim Set with Elected Claims

CLAIMS

I claim:

1. An isolated polypeptide, comprising at least 15 contiguous amino acid residues of an amino acid sequence of SEQ ID NO:2 selected from the group consisting of: (a) amino acid residues amino acid residues 21 to 231, (b) amino acid residues 21 to 210, (c) amino acid residues 22 to 231, (d) amino acid residues 22 to 210, (e) amino acid residues 22 to 108, (f) amino acid residues 112 to 210, and (g) amino acid residues 21 to 110.

2. An isolated polypeptide that comprises an amino acid sequence selected from the group consisting of: (a) amino acid residues amino acid residues 21 to 231, (b) amino acid residues 21 to 210, (c) amino acid residues 22 to 231, (d) amino acid residues 22 to 210, (e) amino acid residues 22 to 108, (f) amino acid residues 112 to 210, and (g) amino acid residues 21 to 110.

3. The isolated polypeptide of claim 2, wherein the polypeptide consists of an amino acid sequence selected from the group consisting of: (a) amino acid residues amino acid residues 21 to 231, (b) amino acid residues 21 to 210, (c) amino acid residues 22 to 231, (d) amino acid residues 22 to 210, (e) amino acid residues 22 to 108, (f) amino acid residues 112 to 210, and (g) amino acid residues 21 to 110.

19. A fusion protein, comprising the polypeptide of claim 3.

20. The fusion protein of claim 19, wherein the fusion protein further comprises an immunoglobulin moiety.

47. An isolated soluble cytokine receptor polypeptide comprising a sequence of amino acid residues as shown in SEQ ID NO:2 from amino acid 22-231 or 22-210, wherein the soluble cytokine receptor polypeptide forms a homodimeric, heterodimeric or multimeric receptor complex.

48. An isolated polypeptide according to claim 47, wherein the soluble cytokine receptor polypeptide forms a heterodimeric or multimeric receptor complex further comprising a soluble Class I or Class II cytokine receptor.

49. An isolated polypeptide according to claim 47, wherein the soluble cytokine receptor polypeptide forms a heterodimeric or multimeric receptor complex comprising a soluble CRF2-4 receptor polypeptide (SEQ ID NO:35), a soluble IL-10 receptor polypeptide (SEQ ID NO:36), or soluble zcytor11 receptor polypeptide (SEQ ID NO:34).

50. An isolated polypeptide according to claim 47, wherein the soluble cytokine receptor polypeptide further comprises an affinity tag, chemical moiety, toxin, label, biotin/avidin label, radionuclide, enzyme, substrate, cofactor, inhibitor, fluorescent marker, chemiluminescent marker, toxin, cytotoxic molecule or an immunoglobulin Fc domain.

51. An isolated heterodimeric or multimeric soluble receptor complex comprising soluble receptor subunits, wherein at least one of the soluble receptor subunits comprises a soluble cytokine receptor polypeptide comprising a sequence of amino acid residues as shown in SEQ ID NO:2 from amino acid 22-231 or 22-210.

52. An isolated heterodimeric or multimeric soluble receptor complex according to claim 51, further comprising a soluble Class I or Class II cytokine receptor polypeptide.

53. An isolated heterodimeric or multimeric soluble receptor complex according to claim 51, further comprising a soluble CRF2-4 receptor polypeptide (SEQ ID NO:35), a

soluble IL-10 receptor polypeptide (SEQ ID NO:36), or soluble zcytor11 receptor polypeptide (SEQ ID NO:34).

67. The isolated polypeptide of claim 2, wherein the polypeptide further comprises an affinity tag, label, chemical moiety, toxin, biotin/avidin label, radionuclide, enzyme, substrate, cofactor, inhibitor, fluorescent marker, chemiluminescent marker, toxin, cytotoxic molecule or an immunoglobulin Fc domain.

68. An isolated soluble cytokine receptor polypeptide homodimeric receptor complex comprising a sequence of amino acid residues as shown in SEQ ID NO:2 from amino acid 22-231 or 22-210.

69. The isolated soluble cytokine receptor polypeptide homodimeric receptor complex of claim 68, wherein the homodimeric receptor complex further comprises an affinity tag, label, chemical moiety, toxin, biotin/avidin label, radionuclide, enzyme, substrate, cofactor, inhibitor, fluorescent marker, chemiluminescent marker, toxin, cytotoxic molecule or an immunoglobulin Fc domain.

70. The isolated soluble cytokine receptor polypeptide homodimeric receptor complex of claim 68, wherein the homodimeric receptor complex binds IL-TIF (SEQ ID NO:15) or antagonizes IL-TIF activity.